

**Town of Uxbridge
Special Town Meeting
June 20, 2006**

Pursuant To the forgoing Warrant, the inhabitants of the Town of Uxbridge, qualified to vote in the Town elections and in the town affairs, met at the High School Auditorium, in Precinct 2, in said Uxbridge, and transacted the following business:

Moderator called the meeting to order at 7:00pm. A quorum was in attendance to vote on all Articles in the Warrant. Tellers appointed for the meeting were: Barbara Hall, Ray Miller, Jane Keegan, Steve Berube, Karen Bouchard, Hurley Silbor, Bill Bouchard, Judy Stocks, Henry Kosiba and Bob Pennell was the Head Teller. The Time Keeper was Charles Stocks.

The meeting started with the Pledge of Allegiance to the Flag, followed by the Moderator's opening comments.

ARTICLE 1: FY06 INTER/INTRA DEPARTMENTAL TRANSFERS

To see if the Town will vote to transfer and appropriate from available funds, a sum or sums of money to balance certain line items within the FY06 budget approved under Article 4 of the May 10, 2005, Annual Town Meeting, or take any other action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

From Acct.#	Account	Amount	To Acct.#	Account	Amount
122100	Selectmen Manager Salaries	12,000.00	122100	Selectmen Admin Expenses	17,000.00
135100	Town Accountant Salary	5,000.00	155200	Computer	405.00
210100	Police Salaries	6,889.00	145200	Treasurer/Collector	5,000.00
422100	Highway Salaries	1,300.00	650200	Parks	1,300.00
945700	Property Liability	1,822.00	162100	Election Salaries	306.00
			543543	Veteran's Benefits	3,000.00
		27,011.00			27,011.00
450200	Water Enterprise Expenses	4,000.00	450100	Water Enterprise Salaries	4,000.00

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable (6-0-0)

These transfers are required to department expenditures through the end of the fiscal year. The Finance Committee has reviewed with the Finance Director the reasons for each transfer.

MOTION: Move that the town vote to transfer and to appropriate the amounts as stated in the following chart for any purpose for which funds may be expended from the latter accounts, each item being considered a separate appropriation for FY06.

§ Town Meeting Action: Moderator Declared Unanimous Passed

ARTICLE 2: SPECIAL FUND TRANSFER TO NEW TOWN HALL BUILDING ACCOUNT

To see if the Town will vote to transfer and appropriate available funds from the Police Station Building Account as approved under Article 12 of the May 10, 2005 Annual Town Meeting to the Town Hall Building Account, such sums as required to fund the renovation of certain areas of Town Hall, or take any other action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable (5-1-0)

The Superintendent of Schools/Finance Director have requested that the Town move School Administration from their existing building (Mendon Street) into the Town Hall. The School Committee approved this action. The Town Manager also supports the project. Since there was no immediate need, the committee debated whether more time was needed in the planning process. The Committee decided in favor of the article in support of the Town Professionals and the School Committee.

MOTION: Move that the town vote to transfer and to appropriate \$132,000 from the Police Station Building Account to the Town Hall Building Account.

§ Town Meeting Action: Moderator Declared 2/3rds Majority Passed

ARTICLE 3: SPECIAL FUND TRANSFER TO NEW ADA COMPLIANCE ACCOUNT

To see if the Town will vote to transfer and appropriate funds from the Town Hall ADA Elevator Account and the ADA Compliance Committee Account to the ADA Compliance Account, such funds as required to secure ADA compliance in town buildings, or take any other action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable (6-0-0)

This transfer will consolidate two funds set up to address handicap issues (American

Disabilities Act). The consolidation will give the town flexibility to deal with these issues. The first issue to be addressed is the access to the second floor of Town Hall.

MOTION: Move that the town vote to transfer and to appropriate \$75,000 from the Town Hall ADA Elevator Account and \$ 33,732.24 from the ADA Compliance Committee Account to the new ADA Compliance Account, totaling \$108,732.24.

§ Town Meeting Action: Moderator Declared Motion Failed

ARTICLE 4: BORROWING AUTHORIZATION FOR WASTE WATER SILO

To see if the Town will vote to raise, appropriate, and/or transfer from Wastewater retained earnings the sum of \$320,000 for the purpose of constructing a lime silo structure and associated appurtenances at the Wastewater Treatment Facility and to meet this obligation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$320,000 under Chapter 44 of the General Laws or any other enabling authority, and further that while this borrowing shall be a general obligation of the Town, it is the intent of the Town that the principal and interest on this borrowing including costs associated with this borrowing will be paid from the Wastewater enterprise fund, or take any other action relating thereto.

SPONSOR: Board of Selectmen (DPW Superintendent)

FINANCE COMMITTEE RECOMMENDATION: Favorable (6-0-0)

The following information was submitted by the Director of Public Works:

"We currently purchase approximately 110 tons of bagged lime per year. Purchasing by bulk will save an estimated \$12,000 per year. Approximately 15 man hours are spent per week (some of which is OT) at a cost of approximately \$23,000 for a total of \$35,000 per year. Along with the anticipated savings, process control will be improved dramatically due to the 24 hr continuous pH adjustment rather than slug loading the chemical."

MOTION: Move that the Town vote to raise and appropriate the sum of \$320,000 for the purpose of constructing a lime silo structure and associated appurtenances at the Wastewater Treatment Facility and to meet this obligation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$320,000 under Chapter 44 of the General Laws or any other enabling authority, and further that while this borrowing shall be a general obligation of the Town, it is the intent of the Town that the principal and interest on this borrowing including costs associated with this borrowing will be paid from the Wastewater enterprise fund.

§ Town Meeting Action: Moderator Declared 2/3rds Majority Passed

ARTICLE 5: APPROPRIATIONS FOR COLLECTIVE BARGAINING AGREEMENT(S)

To see if the Town will raise and appropriate and/or appropriate and/or transfer from available funds a sum of money to fund salary increases and other cost-items resulting from potential contract settlements with union personnel, or take any other action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable (6-0-0)

This article funds the FY06 and FY07 negotiated salary increases with the town's administrative support staff and police dispatchers.

MOTION: Move that the town vote to transfer and to appropriate the sum of \$15,365.00 from Free Cash to the miscellaneous FY06 salary and expense accounts and \$23,350.00 from Free Cash to the miscellaneous FY07 salary and expense accounts, the allocation of amounts to be transferred to each such account to be determined by the Town Accountant, for the purpose of funding the cost items implementing the terms of a collective bargaining agreement with a term beginning July 1, 2005 and expiring June 30, 2008, between the Town and Local 888 of the National Association of Government Employees SEIU, AFL-CIO-CLC, as exclusive bargaining representative of the bargaining unit.

§ Town Meeting Action: Moderator Declared 2/3rds Majority Passed

ARTICLE 6: APPROPRIATIONS FOR CONTRACT SETTLEMENTS WITH NON-UNION PERSONNEL

To see if the Town will vote to transfer from available funds a sum of money to fund possible salary increases and other cost items resulting from potential contract settlements with non-union personnel, or take any other action relative thereto.

SPONSOR: Library Trustees

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable (6-0-0)

This article will fund the FY07 salary increases for the Library Director and Assistant Director, as recommended by the Library Trustees.

MOTION: Move that the town vote to transfer and to appropriate \$4,567.59 from Free Cash to the FY07 Library Department Budget Salary Line Item.

§ Town Meeting Action: Moderator Declared 2/3rds Majority Passed

ARTICLE 7: BROWNFIELD ABATEMENTS

To see if the Town will transfer \$7,717.62 from the FY1991 overlay surplus to the FY1987 overlay or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

FINANCE COMMITTEE RECOMMENDATION: Favorable (6-0-0)

This transfer is needed to fund abatements required of the 1987 overlay account.

This article completes the two year process of abating tax title accounts associated with Brownfield agreements approved by the Board of Selectmen for former Stanley Woolen and Waucantuck Mills located at 146 and 325 Mendon Rd. All abatements are complete except for two 1987 bills for Waucantuck which await transfer of funds to a FY1987 overlay account which was not funded during the May 11, 2004 annual town meeting vote which funded other years.

MOTION: Move that the town vote to accept Article 7 as printed.

§ Town Meeting Action: Moderator Declared Unanimous Passed

ARTICLE 8: ZONING ENFORCEMENT

To see if the Town will vote to amend Section XIII, A, ENFORCEMENT by deleting from the first sentence, the words "by the Board of Selectmen," and changing the word "provision" to "provisions."

SPONSOR: Board of Selectmen (Town Manager)

FINANCE COMMITTEE RECOMMENDATION: No recommendation

MOTION: [To pass-over this article] - [Note that it is an amendment to the Uxbridge Zoning Bylaw which also requires a hearing before the Planning Board that has not occurred].

§ Town Meeting Action: No motion therefore no action

ARTICLE 9: NON-CRIMINAL DISPOSITION

To see if the Town to vote to adopt the following By-Law:

NON-CRIMINAL DISPOSITION

Any By-law of the Town of Uxbridge, or rule or regulation of its officers, boards or departments, the violation of which is subject to a specific penalty, may in the discretion of the Town official who is the appropriate enforcing person, be enforced in the method provided in Section 21D of Chapter 40 of the Massachusetts General Laws. The non criminal fine for each such violation shall be specified in each By-law and, in any case, shall not exceed \$300.00. Each day a violation exists shall be deemed to be a separate offense.

"Enforcing Person" as used in this By-law shall mean any Police Officer of the Town of Uxbridge with respect to any offense, and the Building Inspector and his/her designees, the members of the Conservation Commission and its designees, the members of the Board of Health and its designees, the Dog Officer, the Animal Control Officer and such other officials as the Board of Selectmen may from time to time designate, each with respect to violation of By-laws and rules and regulations within their respective jurisdictions. If more than one official has jurisdiction in a given case, any such official may be an enforcing person with respect thereto or take any other action relating thereto.

SPONSOR: Board of Health

FINANCE COMMITTEE RECOMMENDATION: No recommendation

MOTION: [To pass-over this article]

§ Town Meeting Action: No motion therefore no action

ARTICLE 10: REZONING (PETITION)

To see if the Town will vote to amend the Town of Uxbridge Zoning Map by rezoning the following parcels in their entirety to Business: Map - 51 Parcels: 2768, 32,694 sf; 2841, 2.28; 2881, 6.58 ac; 3744, 2.39; 2724, 2.3; 2743, 15.920 sf; 2755, 2.38.

§ Motion made by Gerald Lemire to amend Article 10 of the above referenced Warrant, said amendment is to change Map51 Parcel 2743 to Map 51 Parcel 2843

FINANCE COMMITTEE RECOMMENDATION: Favorable (6-0-0)

This article will rezone property just off of Rt. 146 (near McDonald's and directly across from BJ's) to business. This will allow the owner to sell or convert this property into business use. Presently, only half of his property is zoned business.

PLANNING BOARD RECOMMENDATION: Favorable (3-1-0)

Motion to move the question

§ Town Meeting Action: Moderator Declared 2/3rds Majority Passed

Motion made on Article 10 as stated

§ Town Meeting Action: Moderator Declared 2/3rds Majority Passed

ARTICLE 11: TRANSFER/SALE/PURCHASE - DOUGLAS STREET PROPERTY

To see if the Town will vote to transfer from the Treasurer/Collector for purposes of sale to the Board of Selectmen for purposes of sale the Town's interest in the property formerly owned by James L. Daubney, Trustee and Luie Belle Daubney located on State Route 146 and off Hazel Street and acquired by the Town by Order of Taking recorded with Worcester District Registry of Deeds on January 17, 1991 in Book 13202, Page 57 and shown on Assessor's Map 22, Lot 3283 and containing 66.20 acres of land more or less and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary to sell such property or acquire by purchase or otherwise the interests held by other title holders in the property and any access easements in and to the property, or to take any other action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

FINANCE COMMITTEE RECOMMENDATION: Favorable (6-0-0)

The transfer of the above property from the Treasurer/Collector to the Board of Selectmen will serve two purposes:

1. It eliminates restrictions on the property, as dictated by the rules by which Treasurer/Collector must act, and
2. It provides greater flexibility for the town (Board of Selectmen) in gaining the highest price for land it wishes to sell (including the land in Article 12)

This article provides the BOS flexibility/options for either disposing of its 50% interest in this parcel which is jointly owned, acquiring the other 50% interest, or acquiring an access easement to the property, which is currently land-locked.

MOTION: Move that the town vote to accept Article 11 as printed.

§ Town Meeting Action: Moderator Declared 2/3rds Majority Passed

ARTICLE 12: REZONING

To see if the Town will vote to amend the Town of Uxbridge Zoning Map by rezoning the following parcels from Agricultural to Business: Map - 22 Parcel - 3283, Map - 23 Parcel - 3522, Map - 23 Parcel - 3616, Map - 23 Parcel - 3642, Map - 23 Parcel - 3646, Map - 23 Parcel - 3651, Map - 23 Parcel - 3628, Map - 23 Parcel - 3634, Map - 23 Parcel - 3635, Map - 23 Parcel - 3725, Map - 23 Parcel - 3724, Map - 23, Parcel - 3743, Map - 23 Parcel - 3745, Map - 23 Parcel - 3665, Map - 23 Parcel - 4424, Map - 23 Parcel - 4364 or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

FINANCE COMMITTEE RECOMMENDATION: Favorable (6-0-0)

The following information was submitted by the Finance Director:

"In a nutshell, the rezoning is good for Uxbridge because it will give the Town the opportunity for controllable economic growth in a logical place. In examining future potential projects (a new High School, Blanchard Rehab, Fire Stations, a CIP, etc), and the tax implications of each, it becomes imperative that the Town encourage cost-neutral growth. New homes bring children with a per pupil education cost of over \$5,000.00. Our average tax bill in Uxbridge \$3,440.00."

PLANNING BOARD RECOMMENDATION: Favorable (3-1-0)

Motion to move the question

§ Town Meeting Action: Moderator Declared Majority Passed

MOTION: Move that the town vote to delete reference to Map 23, Parcel 3642 as that parcel has been combined with another parcel and otherwise accept Article 12 as printed.

§ Town Meeting Action: Moderator Declared 2/3rds Majority Passed

ARTICLE 13: TRANSFER TO STABILIZATION

To see if the Town will vote to transfer and appropriate a sum or sums, including so called Free Cash to the Stabilization Fund Account, or take any action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

FINANCE COMMITTEE RECOMMENDATION: Favorable (6-0-0)

This article transfers the remaining balance in Free Cash into the Stabilization Fund. While the amount is small, the practice of regularly transferring funds into reserve is important. It shows the town has the financial discipline to spend less than it brings in on an annual basis. This is an important factor in credit ratings and securing borrowing. In time, with regular discipline, the reserve funds can be used to fund larger capital needs, like vehicle replacements and building renovations.

MOTION: Move that the town vote to transfer and to appropriate \$7,283.99 from Free Cash to Stabilization.

§ Town Meeting Action: Moderator Declared Unanimous Passed

Motion was made by the Moderator to dissolve the June 20, 2006 Special Town Meeting and the meeting adjourned at 9:04PM.

Attested:

Holly J. Gallerani

Town Clerk

7/5/06